

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

ESTES EXPRESS LINES, INC.  
Plaintiff

vs.

CIVIL ACTION  
NO. 03-30299 KPN

HI SEAS INDUSTRIES, INC.,  
Defendant

JOINT MOTION TO CONTINUE  
CASE MANAGEMENT CONFERENCE

The parties request that the Case Management Conference now scheduled for November 9, 2004 at 11:00 a.m. be continued until December 6, 2004. As reasons therefore, counsel for both parties believe that a settlement has been reached. However, John Kaiser, president, director and sole shareholder of the defendant corporation has been in Austria due to the unexpected death of his mother in law and counsel for the defendant has been unable to communicate with him to obtain final approval of the settlement. Counsel for defendant believes that Mr. Kaiser will return to the United States within two weeks and expects that all aspects of the settlement will be completed before December 6.

Dated: November 8, 2004

ESTES EXPRESS LINES, INC.  
BY ITS ATTORNEY

Wesley S. Chused (w)  
WESLEY S. CHUSED  
BBO#083520  
LOONEY & GROSSMAN LLP  
101 ARCH STREET  
BOSTON, MA 02110  
(617) 951 2800

HI SEAS INDUSTRIES, INC.  
BY ITS ATTORNEY

Raymond W. Zenkert, Jr.  
RAYMOND W. ZENKERT, JR.  
BBO#539820  
DELEO, ANGELL, PALMER, ZENKERT  
48 E. SILVER ST.  
WESTFIELD, MA 01085  
(413) 562 4166